APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,326	03/24/2000	Min Ho Cha	5387-3	1618

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EXAMINER
DASS, HARISH T

ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 05/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

    A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒   Responsive to communication(s) filed on _3/24/00_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐   Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
     closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒   Claim(s) _1-13_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐   Claim(s) _____ is/are allowed.

6)☒   Claim(s) _1-13_ is/are rejected.

7)☐   Claim(s) _____ is/are objected to.

8)☐   Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _24 March 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some *   c)☐ None of:

         1.☐   Certified copies of the priority documents have been received.

         2.☐   Certified copies of the priority documents have been received in Application No. _____ .

         3.☒   Copies of the certified copies of the priority documents have been received in this National Stage
            application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

1.   This application has been reviewed. Original claims 1-13 are pending. The

rejections are as stated below.

Claim Rejections - 35 USC § 112

2.   Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter

which applicant regards as the invention.

In particular, claim 1, lines 7, 9 and 11 the phrase "and/or" renders the

claims indefinite because, it is unclear whether the limitations following the

phrase are part of the claimed invention. See MPEP § 2173.05(d). For purpose

of examination only, Examiner assumes that the claim limitation is "or".

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

Claims 1-3, 5-6, and 8-12 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Potter et al, US Patent 5,787,402 in view of E*TRADE

Securities, Inc.

Regarding Claims 1-2, 5, 11 and 12 Potter et al teach an automatic ordering

method, the automatic ordering method for trading of foreign currencies and the

like through data communication network comprises the steps of: determining a

trade-desired object (transaction the customer desires) and inputting an

automatic trade condition containing purchase and selling conditions in a

computer system; issuing (released trade) purchase or selling order(s) according

to the automatic trade conditions through the data communication network;

discriminating (states) whether the purchase order or selling order has been

contracted through the data communication network; and placing new (new

orders) purchase or selling order(s) by the computer through the data

communication network (central computer, tcp/ip, router, server, etc.) according

to the automatic trade conditions when either the purchase order or the selling

order is contracted. (ABs; figures 1-29; Col. 1 lines 9-14; col. 1 line 49 thru Col. 2

line 16; Col. 3 lines 1-42; Col. 8 lines 29-47; Col. 13 lines 34-50; Col. 14 line 54

thru Col. 15 line 35; Col. 16 lines 30-46; and Col. 21 lines 8-11).

Additionally, Potter, teaches the method using a computer system

connected to a data communication network, the method comprising the steps of:

determining a trade-desired stock and inputting an automatic trade condition

including purchase and selling conditions at the computer system; placing

through the data communication network a stock (currency) purchase order or

stock (currency) selling order according to the trade condition; discriminating

(different order state) whether or not the stock selling order or stock purchase

order has been contracted through the data communication network; and placing

by a commuter through the data communication network a new stock selling or

purchase order according to the automatic trade condition when the stock selling

or purchase order is contracted. (ABs; figures 1-29; Col. 1 lines 9-14; col. 1 line

49 thru Col. 2 line 16; Col. 3 lines 1-42; Col. 8 lines 29-47; Col. 13 lines 34-50;

Col. 14 line 54 thru Col. 15 line 35; Col. 16 lines 30-46; and Col. 21 lines 8-11).

Further, Potter, teaches placing through the data communication network

one or more (plurality of second currencies) than one stock selling order(s) and

one or more than one stock purchase order(s) according to the trade condition.

Likewise, he teaches, an automatic ordering system of stocks, the system

including a user computer system connectable to a computer system at the

Korea Stock Exchange through a data communication network, the system

comprising: a user interface at the user computer system; a memory device

for storing a basic information data including item code of stock and account

number of a stock holder input to the computer system through the user

interface; a trade condition control module for storing automatic stock trade

condition data containing desired selling price, desired selling quantity,

desired purchase price, desired purchase quantity for trade of the stock input

to the computer system through the user interface; and a trade order control

module for discriminating (differentiate) whether the automatic stock trade

condition has been met and for placing a stock trade order according to the

automatic stock trade condition through the data communication network if

the condition is met (ABs; figures 1-29; Col. 1 lines 9-14; col. 1 line 49 thru

Col. 2 line 16; Col. 3 lines 1-42; Col. 8 lines 29-47; Col. 13 lines 34-50; Col.

14 line 54 thru Col. 15 line 35; Col. 16 lines 30-46; and Col. 21 lines 8-11).

Potter fails to teach the step of trading of stocks, bonds, items, futures,

options, indexes and computer system at the Korea Stock Exchange.

However, E*TRADE teaches E*TRADE web (data communication

network) and portfolio management system, stock and options and securities. It

would have been obvious to one of ordinary skill in the art at the time the

Applicant's invention was made to modify the teachings of Potter to include the

step of trading of bonds, items, futures, and indexes to its automatic ordering

method (online using PC), as taught by E*TRADE. Furthermore, it is a common

knowledge that the Korea Stock Exchange is a Financial institutions which

provide service to stock trader and there computer(s) are connected to out-side

user through a data communication network like other stock exchanges.

Therefore any online security broker or brokerage firm who provides web based

(automatic ordering) with wide range of security services, to its customer, can

including such securities as: stocks, bonds, items, futures, options, indexes, etc.

to its investment and business strategy and can connect (login) to its affiliated

stock exchange facility (computer) to get updated quotes, place an order and

trade.

Regarding Claims 3, 6, and 8-10 Potter et al teaches that the automatic ordering

condition comprises one of desired (customer desire) selling price/selling quantity

(amount) or desired purchase price/purchase quantity (amount); extra trade condition and

Wherein the step of placing through the data communication network at least one or more than one stock selling and purchase order according to the trade condition further comprises a step of checking whether or not the trade condition has been satisfied before placing an order, and notifying to a user an error if the condition is not met. Potter fails to, explicitly, teach, a target profit rate and further comprises a step of calculating a profit rate according to the automatic trading before a computer places a new stock (currency) selling order and purchase order in case the stock selling order or a stock purchase order is concluded to thereafter compare same with the target profit rate. Official notice has been taken that the Potter's new order entry forms (Fig. 24-25) are computer screen with labels and data entry fields. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the teaching of Potter and include the steps for profit rate and comparison of profit rate with target profit rate. These comparisons may be useful and provide a method for the user to evaluate it expectation vs. gains for his/her next trade. (Figures 24-25, col. 7 line 29-52; col. 14 lines 64 thru col.15 line 5).

Claims 4,7 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter et al US Pat. 5,787,402 in view of E*TRADE Securities, Inc. and further in view of Braddock U.S. Patent 4,412,287

Regarding Claims 4, 7 and 13, Potter teaches that the automatic ordering condition further comprises a condition for limiting an order timing, and the step of placing a selling order or purchase order (col. 12 line 66 thru col. 13 line 10). Both Potter and E*TRADE fail to teach the step of comparing the present price with a set-up selling price or purchase price before placing an order and a step of drawing up an automatic trade table, where an automatic trade order is generated from the base of the automatic trade table. However, Braddock, teaches that "The lists are then compared matching the first round lot buy (at the highest price)..." and "The operation of the exchange can be illustrated by the following examples of trading in a single stock. The examples are purposely simplified ..." (col. 2 line 58 thru Col. 3 line 15; Columns 10-15). It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the teaching of both Potter and E*TRADE to include the step of comparing the present price with a set-up selling price or purchase price before placing an order and a step of drawing up an automatic trade table where an automatic trade order is generated from the base of the automatic trade table, as taught by Braddock. It is very common practice in data processing area to extract (select) desired tables from databases main table. The Database computer programmers routinely use database query language (SQL) and create tables from based table. Since database engines are capable to search and compare two or more dynamic (changing) values faster than manual comparison and create new tables. Therefore, it is economical and makes business sense to automat these step using database engines. Another

advantage computer has is this computer can do this task at the background with

out and discomfort to the user. The result can be show on the screen.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure. Applicant is required under 37 CFR § 1.111 (c) to consider

the references fully when responding to this action.

i). Ameritrade, Feb 11, 1998 "Client Trade Here" web page. Provides

Ameritrade Online Trading Demo and other

ii). US Patent 5,797,127, Walker et al, August 18, 1998 "Method,

apparatus, and program for pricing, selling, and exercising options to

purchase airline tickets". It discloses, an apparatus, method, and program

for determining a price of an option to purchase an airline ticket, and for

facilitating the sale and exercise of those options.

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Harish T Dass whose telephone number is

703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax

phone numbers for the organization where this application or proceeding is

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assigned are 703-746-7239 for regular communications and 703-746-7238 for

After Final communications.

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-395-3900.

Harish T Dass HTD
Examiner
Art Unit 3628

May 3, 2002